

ESTTA Tracking number: **ESTTA365210**Filing date: **08/26/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Calvert Group, Ltd.		
Entity	Corporation	Citizenship	Delaware
Address	4550 Montgomery Ave. Suite 1000N Bethesda, MD 20814 UNITED STATES		

Attorney information	Robert Benson 4550 Montgomery Ave. Bethesda, MD 20814 UNITED STATES rob.benson@calvert.com Phone:301-951-4893
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**Registration Subject to Cancellation**

Registration No	3760983	Registration date	03/16/2010
Registrant	Parnassus Investments 1 Market Street, Suite 1600 San Francisco, CA 94105 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 036. First Use: 2007/04/29 First Use In Commerce: 2007/04/29 All goods and services in the class are cancelled, namely: Investment advisory services
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Registration No.	2075786	Application Date	08/14/1996
Registration Date	07/01/1997	Foreign Priority Date	NONE
Word Mark	KNOW WHAT YOU OWN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1996/04/01 First Use In Commerce: 1996/04/01		

	financial investment management services
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Attachments	Petition to Cancel [smart investing is knowing what we own - parnassus] 0810.pdf ( 3 pages )(352706 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Robert Benson/
Name	Robert Benson
Date	08/26/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Calvert Group, Ltd.	)	
	:	In the matter of:
Petitioner	)	Registration No.: 3,760,983
	:	
v.	)	For the Mark:
	:	Smart Investing is Knowing What We Own
Parnassus Investments	)	
	:	Registered on the Principal Register:
Registrant	)	On March 16, 2010
	:	
	)	PETITION TO CANCEL

PETITION TO CANCEL

Petitioner Calvert Group, Ltd. (hereinafter “Petitioner”), a corporation organized and existing under the laws of the State of Delaware and located at 4550 Montgomery Ave. Suite 1000N, Bethesda, MD 20814, believes that it will be damaged by the above-identified registration owned by Parnassus Investments (hereinafter “Registrant”), located, to the best of Petitioner’s knowledge, at 1 Market Street, Suite 1600, San Francisco, CA 94105, and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. Petitioner is a widely-recognized leader in the field of sustainable and responsible investing in the United States.
2. Since long prior to the filing date of Registration No. 3,760,983, on July 31, 2009, and the first-use date claimed therein, April 29, 2007, Petitioner has offered on its website a service under the trademark KNOW WHAT YOU OWN, Registration No. 2,075,786, having a registration date of July 1, 1997.

3. Petitioner has used the mark KNOW WHAT YOU OWN in commerce continuously since at least April 1, 1996, and the mark is in good standing at the United States Patent and Trademark Office, having most recently filed and received acceptance for an Affidavit of Continued Use under Section 8 of the Trademark Act (hereinafter the “Act”) and an Application for Renewal under Section 9 of the Act as of July 24, 2007.
4. Petitioner’s Declaration of Incontestability under Section 15 of the Act was acknowledged for the mark by the United States Patent and Trademark Office on November 3, 2003.
5. Since its launch, the KNOW WHAT YOU OWN portion of Petitioner’s website has been one of the most heavily-trafficked portions of the site.
6. By virtue of such use and Petitioner’s reputation as a leader in sustainable and responsible investing, Petitioner’s mark is favorably known by individual investors and by financial advisors who use the service to compare holdings in U.S. equity mutual funds against the environmental, social and governance criteria applied to the Calvert Social Index®, a proprietary index of the Petitioner that measures the performance of the largest sustainable and responsible companies in the United States. The mark is a valuable asset and of considerable goodwill and recognition through Petitioner’s use of the mark in commerce in the United States.
7. The goods/services for which Registrant has obtained its SMART INVESTING IS KNOWING WHAT WE OWN mark, International Class 36 Investment Advisory Services are identical or virtually identical to the

goods/services for which Petitioner has used and registered the KNOW WHAT YOU OWN mark, namely International Class 36 financial investment management services.

8. Registrant's SMART INVESTING IS KNOWING WHAT WE OWN mark is at least highly similar, phonetically and in overall appearance, to Petitioner's KNOW WHAT YOU OWN mark.
9. Upon information and belief, Registrant's goods/services are marketed through the same channels of trade and to the same class(es) of customers as the goods/services of the Petitioner.
10. Registrant's SMART INVESTING IS KNOWING WHAT WE OWN mark so resembles Petitioner's KNOW WHAT YOU OWN mark that, when used on or in connection with the goods/services of Registrant:
  - a. It is likely to cause confusion, or to cause mistake, or to deceive; and
  - b. Causes dilution of Petitioner's famous mark.

WHEREFORE, Petitioner prays that Registration No. 3,760,983 be canceled.

Respectfully Submitted,



Robert D. Benson

Attorney for Petitioner